



Memorandum # 43/2002

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
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MEMORANDUM

TO: Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Heart, Lung, and Cancer Presumption Guidelines and Certificates

DATE: October 25, 2002

The Public Employee Retirement Administration Commission is pleased to present newly revised Presumption Guidelines and Certificates. PERAC will begin to use these materials effective November 1, 2002.

These revisions were made in collaboration with PERAC's medical consultant and the Public Pension Advisory Group. The goal of the revisions is to provide guidance to the physician so the physician better understands his/her responsibilities when evaluating a member who has applied for a disability retirement under the Heart, Lung, or Cancer Law.

When answering the certificate questions, the physician is asked to consider the fact that the law establishes a rebuttable presumption that any impairment of health is service connected unless the contrary is shown by competent medical evidence. Before responding to the questions on the Certificate, the physician is asked to read the Presumption Guideline and the Certificates. Having considered the Certificate statements, the physician is asked to respond to the Certificate questions and elaborate on the responses in his/her narrative report.

As always we welcome your comments. We anticipate that these revisions will offer a better understanding of the law to physicians asked to evaluate and report on presumption cases.